

Planning Commission Staff Report: Site Plan STP2014-00184, Enterprise RENT-A-CAR

MEETING DATE: July 23, 2014

REPORT DATE: July 16, 2014

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Planning Division 240.314.8215

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APPLICATION DESCRIPTION:

To construct a 1,356 square foot car wash addition behind the existing building. The existing 1,108 building will be renovated/remodeled and used as office space for the car rental business. Minor site improvements to meet Americans with Disabilities Act (ADA) as well as to improve site

circulation.

APPLICANT: Enterprise RENT-A-CAR

Michelle Chisholm 16300 Heritage Blvd Bowie, Maryland 20716

FILING DATE: September 25, 2013

RECOMMENDATION: Approval subject to the conditions noted on pages 13-15.

EXECUTIVE SUMMARY:

The applicant has submitted an application for a Level 2 Site Plan pursuant to Section 25.07.05 of the Zoning Ordinance. The Site Plan is to allow for a change in the use of the existing building from a used car sales facility to a rent-a-car facility. The applicant will renovate/reuse the existing 1,108 square feet building as office space and construct a 1,356 square foot car wash building behind the existing building to be used exclusively for their car rental business and not for public use. Minor site improvements include changes to the existing buildings façade, interior modifications of the site to meet ADA compliance and better pedestrian and vehicle access.



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RECOMMENDATION

Approval of Site Plan, STP2014-00184, based on the findings noted on pages 11-13, and subject to the conditions noted on pages 13-15.

SITE DESCRIPTION

The property is located on the north side of Rockville Pike, at the corner of New Street and Rockville Pike between the Exxon Station and the FedEx/Kinko's buildings. The site has been vacant for some time. The previous use was a car dealership facility (Century Ford). The property is 32,043 square feet in area with little green space except for what is located in the rear of the property and along the street frontage. There are currently 42 parking spaces on the property. Access to the property is currently provided off of New Street (2 entrances) and MD 355 (Rockville Pike).

Location: 702 Rockville Pike (see Attachment 1)

Applicant: Enterprise RENT-A-CAR c/o Michelle Chisolm

Land Use

Designation: Rockville Pike Corridor Mixed Use Development (RPCMUD) (Attachment 2)

Zoning District: MXCD (Mixed Use Corridor District) (Attachment 3)

Existing Use: Vacant – previous use – a car dealership

Parcel Area: 32,043 square feet

Subdivision: Haymonds Addition to Rockville

Building Floor

Area:

1,356 square feet (new) 1,108 square feet (renovated). Total 2,464 square feet

Dwelling Units: N/A

Building Height: 13.8' (existing building), 18.5' (new building)

Parking: 32 surface parking spaces

Vicinity

Surrounding Land Use and Zoning								
Location	Zoning	Planned Land Use	Existing Use					
North	MXCD	Rockville Pike Mixed Use Development (RPCMUD)	Railroad Tracks					
East	MXCD	Rockville Pike Mixed Use Development (RPCMUD)	Kinkos/FedEx					
South	MXCD	Rockville Pike Mixed Use Development (RPCMUD)	Auto dealership and Furniture Shop					
West	MXCD	PPOS Public Park and Open Space	(Exxon)					

PROJECT DESCRIPTION

Changes to previously approved developments are governed by Section 25.05.07 of the Zoning Ordinance. Two Types of Amendments are defined. Those projects that meet criteria for a Minor Amendment are processed and acted on by the Chief of Planning. The Chief of Planning has determined that this proposal is too significant to be a minor change but it is not substantial as to require an entirely new application. Action on a Major Amendment must be taken by the original Approving Authority, which in this case is the Planning Commission. Major Site Plan Amendments are subject to the same procedural requirements as a Level 2 Site Plan.

Previous Related Actions

- December 1978 Final Record Plat Application; approved and recorded.
- March 28, 1980 Use Permit Application USE1980-00178, Robert Luther, approved by the Planning Commission to use the property as an electric car dealership.
- April 1980 Special Exception Application SPX1980-0070, approved by the Board for the site to operate an electric car dealership.
- April 13, 1983 Use Permit Application USE1983-00264, Century Ford, approved by the Planning Commission to use the property as an outdoor/indoor motor vehicle sales facility.

Proposal

The applicant (Enterprise RENT-A-CAR) proposes to remodel/use the existing 1,108 square foot block and frame building as an office for the rental operation. Cars for rental purposes will be stored on site. In addition, a 1,356 square foot carwash building will be constructed behind the existing building. Enterprise's policy is to wash each car prior to its release to the customers.

The carwash will not be open to the public. Minor site improvements include changes to the building façade; a new sidewalk along MD 355 and on the corner of New Street; bike facilities; ADA compliant ramps; the modification of the entrance at New Street; the closing of MD 355 entrance; other minor site improvements; and the reconfiguration of the 30' service drive easement. (see Attachment 4)

PROJECT ANALYSIS

The site has been vacant for many years. The only thing remaining from the former Century Ford dealership is a boarded up building that once functioned as an office for the car dealership. Per Section 25.08.07.d since extensions or additions to any portion of such an existing building, structure or site (whether conforming or nonconforming) do not cumulatively exceed 50 percent of the existing gross floor area or 50 percent of the net lot area, the site is not required to be brought into full compliance with current requirements, including the Adopted 1989 Rockville Pike Plan build-to-line, open space requirement or Landscaping. Since this is a stand-alone building, the 50 percent criteria is applied to the site itself. Total site disturbance is approximately 15,965 square feet and does not exceed the 16,021.5 square foot maximum based on the lot size of 32,043 square feet.

Master Plan

Land Use Map

The 2002 Approved and Adopted City of Rockville Master Plan Land Use Map (see Attachment 2), indicates that this property is classified as Rockville Pike Corridor/Mixed Use Development (RPCMUD).

Master Plan Compliance

The subject property is located in Planning Area 1, the Town Center Area, and is subject to the Rockville Pike Corridor Neighborhood Plan.

The goal as indicated in the current 1989 plan is to: "seek to offer security, identity, and opportunity for Rockville citizens and business persons. It should serve as the commercial main street of the City providing a wide variety of mixed-use development of retail, office and residential opportunities that respond to the diverse needs, opportunities, and expectations of the community and encourage the cooperation between business and residents to support this goal.

The proposed use is in keeping with this goal. Automobile rental and office uses are permitted uses by right in the zone.

Infrastructure/ Adequate Public Facilities Standards (APFS)

Roads and Transportation

Based on the applicant's completion of the Comprehensive Transportation Review (CTR), the project will generate a new net 0 AM, and 29 PM peak hour auto trips. The proposed use will not generate greater than thirty (30) peak hour vehicle trips and as such, will not substantively alter or change vehicular traffic flow movements in and around the site area.

Water and Sewer

In a letter dated July 1, 2014 (see Attachment 5) the application received conceptual Water and Sewer Authorization approval from the Department of Public Works (DPW) for connection to the City's water and sanitary sewer systems. The Water and Sewer Authorization letter lists project specific conditions of approval.

Schools

The proposed building is a nonresidential use; therefore no impact will be placed upon the school system.

Fire and Emergency Service

Based on the data provided by the Montgomery County Fire and Rescue Service (MCFRS), this site is within the area that 3-7 fire stations can service the property in case of an emergency. Station 3 located at 380 Hungerford Drive is not far away from the subject site, while Station 23, located at 121 Rollins Avenue, is in close proximity. Both stations are within a ten-minute response time

As a result, the proposed development will not overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance, as provided in the adopted APFS.

Transportation and Circulation

Parking

The proposed site complies with Article 16 ("Parking and Loading") of the Zoning Ordinance. The site plans shows a total of 32 spaces where only 9 spaces are required for the operation of the business (5 spaces to operate the auto rental use and 4 spaces to operate the office use). Additionally, 13 spaces will be provided for the storage of freight (rental cars) and 10 spaces will be provided for customer parking.

Access

As a result of this project, the MD 355 access point will be closed at the request of the State Highway Administration (see Attachment 6). The Access Management Plan of the 1989 Rockville Pike Corridor Neighborhood supports the maintaining of the MD 355 entrance, however, the State Highway Administration does have jurisdiction over the roadway and its access points.

The proposal includes access to the site solely from New Street. Currently there are two access points on New Street and both permit full movements. Service vehicles will use the entrance closest to the Metro tracks to reach the dumpster in the northeast corner of the site.

It is important to note that the 30' Service Drive Easement running parallel to MD 355 has been in place since 1978, and as result of this project, the 30' Service Drive Easement will be reconfigured.

The current primary entrance to the site from New Street allows traffic to flow onto the site immediately off of the MD 355 intersection. As result of the project, the New Street entrance will be repositioned, and a new sidewalk will be added. With a bus pad proposed in the front of the building more pedestrians may frequent this area. Staff finds that the closure along MD 355, with the modifications being made to the site, provides increased safety for pedestrians and vehicles in and around the site.

Traffic

The Transportation Report was submitted in accordance with the City's CTR analysis for new development projects that generate less than 30 peak hour trips. Their CTR focused on the level of service for vehicles, and on-site transit, pedestrian, and bicycle level of service. The purpose of the CTR process is to ensure that adequate transportation facilities exist during and after a development project is complete.

As previously noted, the proposed use will not generate greater than thirty (30) peak hour vehicle trips and as such, will not substantively alter or change vehicular traffic flow movements in and around the site area. The use will have sole vehicular access from the proposed entrance on New Street, providing for increased vehicular and pedestrian safety.

Bicycle/Pedestrian Access

The applicant proposes to provide pedestrian connections to the site. They will provide a 6 foot wide sidewalk along Rockville Pike along the site's frontage. In addition, an existing sidewalk runs on the west side of the site on New Street. The proposed

pedestrian connection to the site comes from the sidewalk on New Street and leads to the front of the building.

In order to comply with the bicycle parking standards, the applicant shall provide 2 long-term (bicycle lockers) storage and 2 short-term (bicycle racks) storage spots. A locked and covered bicycle room with racks or a bicycle locker is required for long-term storage. Short-term spaces are considered to be an inverted "U" bicycle rack, mounted in-ground, and must be spaced four feet apart. These spaces shall be provided at a safe and secure location approved by DPW during the detailed engineering stage. Bike lockers and racks must be installed prior to issuance of the occupancy permit.

There are currently no bike facilities along the abutting roadways (Rockville Pike & New Street).

Transit

The site is located less than 0.3 miles from the Rockville Metro Station. The site is served by Montgomery County Ride-On routes 46 and 81, which run along Rockville Pike.

Environment

The project does not contain any environmental features such as streams, wetlands, flood plains or associated buffers. In addition, there is no forest on site. Therefore, the project is not subject to any of the recommendations in the Environmental Guidelines.

Green Building

This project is exempt from the Green Building regulations of Chapter 5 ("Buildings and Building Regulations").

Forest and Tree Conservation Ordinance

The Preliminary Forest Conservation Plan (Pre FCP) was approved on June 24, 2014 and is consistent with the site plan submission. A copy of the approved Pre FCP is included with the staff report. (see Attachment 7).

The 32,043 square foot site is exempt from forest conservation since the site is under 40,000 square feet in area; however, the project must still comply with the significant tree replacement requirement and minimum tree cover. All six on-site significant trees are proposed for retention.

Minimum Tree Cover:

The Minimum Tree Cover requirement for the MXCD zone is 10%, or 3,200 s.f. The project will meet the requirement with both existing and newly planted trees. Six new shade trees will be planted within the front half of the site.

Significant Trees:

Significant trees are defined as trees having a diameter at breast height (DBH) of 12" and greater outside of forest or 24" DBH and greater when located within forest. Based on the proposed limits of disturbance, all of the onsite significant trees will be protected and retained during construction.

Stormwater Management

Stormwater Management (SWM) for this project will be provided in compliance with priority methods as established by code and as approved by the Combined Pre-Application and Development SWM Concept approval dated July 1, 2014 (see Attachment 8). On-site SWM is being provided by a combination of reduction of impervious area and an Alternative measure, specifically monetary contribution, in lieu of providing on-site management.

Safe Conveyance

The project proposes a direct connection of an on-site private storm drain to a system owned and maintained by the Maryland State Highway Administration (MSHA). Per the City's Regulations, Safe Conveyance for this project will be provided in compliance with MSHA's hydraulic requirements.

Sediment Control

Erosion and Sediment Control for this project will be provided in compliance with the Preliminary Erosion and Sediment Control approval dated July 1, 2014 (see Attachment 9).

Zoning Ordinance Compliance

In accordance with Section 25.13.03 of the City of Rockville Zoning Ordinance, automobile rental is a permitted use in the MXCD Zone, (Mixed Use Corridor District), which is consistent with the recommendation in the Rockville Pike Plan.

Per Section 25.08.07.d of the Zoning Ordinance:

If extensions or additions to any portion of such an existing building, structure or site (whether conforming or nonconforming) cumulatively exceed 50 percent of the existing

gross floor area or 50 percent of the net lot area, then the entire building, structure, or site must be brought into compliance with all of the current development standards contained in this Chapter.

With less than 50 percent of the site being disturbed, the zoning compliance review was based on the Limits of Disturbance (LOD) and proposed changes only. With that said, the applicant is not required to comply with all of the current development standards contained in the Zoning Ordinance i.e; Build-to-line, open space and landscaping requirement.

Zone	Maximum Height	Open Area and Public Use Space		
{MXCD}		Total Open Area	Public Use Space	
Required	75′	15%	10%	
Proposed	18.5 feet (new building) 13.8 feet (existing building)	Not Required Per Section 25.08.7.d	Not Required Per Section 25.08.07.d.	
Setbacks				
Public Right-of-		Side	Rear	
Way Abutting	Residential	Non-Residential	Residential	Non-Residential
	Land Abutting	Land Abutting	Land Abutting	Land Abutting
Required	n/a	None, 10 feet. if provided		None, 10 feet. if provided
Proposed	n/a	34 feet & 58 feet	n/a	63 feet

Public Art in Private Development

The project must comply with the requirements of the public art program subject to the rates that are in effect at the time of permit application.

COMMUNITY OUTREACH

In accordance with the requirements of the Zoning Ordinance, the applicant held both preapplication and post application area meetings (indicated below) to provide interested parties an opportunity to hear and ask questions about the proposal.

 March 5, 2012, Pre-Application Area Meeting was held at 6:30 p.m. at Rockville City Hall in the Mayor and Council Chambers. No one attended this meeting. • October 8, 2013, Post Application Area Meeting was held at 6:30 p.m. at Rockville City Hall in the Mayor and Council Chambers. No one attended this meeting.

Based on the level of review (Level 2), the applicant was required to notify properties within 1,250 feet of the subject site informing them of the request, the area meetings, the Development Review Committee (DRC) meetings and the pending Planning Commission meeting. The Mayor and Council adopted on February 11, 2013, Text Amendment TXT2013-00235. This Text Amendment, requires applicants of a Level 2 site plan to notify all Homeowners Associations and Civic Associations with the City of Rockville. The applicant's required notifications, as well as a list of addresses, are contained in the project application file. Pursuant to the requirements of Section 25.05.03.d, a sign was posted on the property to display the public meeting dates.

FINDINGS

Section 25.07.01.a.3.a states that a site plan application that does not implement a project plan or a special exception may be approved only if the applicable Approving Authority finds that the application will not:

i. Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed development;

The site has been vacant for some time and once fully operational will continue to function in a similar manner as it has in the past with little or no evidence of adverse impact upon health and safety. The car wash addition will not be opened to the public. With the closing of the entrance on MD 355, access to the site will be more controlled; vehicles will not have the ability to gain access from various entrances as they once were able. Traffic will be under 30 peak hour trips. The site modifications proposed with the project will improve the overall function of the site, and allow for better site circulation. Staff has found no evidence that the use would adversely affect the health or safety of persons residing or working in the surrounding neighborhood.

 ii. Be detrimental to the public welfare or injurious to the property or improvements in the neighborhood;

The re-occupancy/renovation of the existing building along with the car wash component (that will not be open to the public), along with the modifications proposed with this site plan application, will improve the overall function of the site. Additionally, the MXCD zone allows for a variety of uses to operate on this site. With similar uses in the area, staff has found no evidence that the proposed retail/commercial building once fully operational would be detrimental to the public or injurious to the property or improvements in the neighborhood.

iii. Overburden existing and programmed public facilities as set forth in Article 20 of this chapter and as provided in the adopted Adequate Public Facilities Standards;

The project is in full compliance with the Adequate Public Facilities Standards, as detailed in this report, and will not overburden existing or programmed public facilities.

iv. Adversely affect the natural resources or environment of the City or surrounding areas;

The site is currently mostly paved with storm water management that dates back to the previous approvals in the 1980s. A review of the project has been conducted for all applicable environmental requirements (forestry, stormwater management, sediment control) and it has been found in compliance. Street trees will be removed and replanted where appropriate. The applicant is retrofitting the existing building, and adding a carwash addition, along with making minor adjustments to the site for better circulation. Staff finds no evidence that this project would adversely affect the natural resources or environment of the surrounding areas.

v. Be in Conflict with the Plan;

As stated in the project analysis above, the subject property is located in Planning Area 1, and is subject to the Rockville Pike Corridor Neighborhood Plan. Mixed Use is recommended in this plan., although not required on every site. The property is not subject to the draft Rockville's Pike Plan undergoing review by the Planning Commission. As previously stated, the subject site is not disturbing more than 50 percent of the gross floor area or 50 percent of the net lot area of the entire site, and therefore, is not required to be brought into compliance with all current development standards contained in the Zoning Ordinance. The plan does not provide any specific recommendations for the subject site, but anticipates a mix of office, retail and residential uses if redeveloped.

The project will be among similar small-scale commercial properties containing a variety of retail and office uses which are predominant along the corridor.

The Rockville Pike Plan requires that the 30' Service Drive Easement be provided. In this case, the access to the site will be from New Street since the State Highway Administration (SHA) is requiring that the entrance on Rockville Pike, (MD 355) be closed. Although continual access via the service drive from the adjacent property is currently blocked, due to the adjacent existing building, should redevelopment occur, the service drive easement will be in place. Staff has found the reconfiguration of the service drive acceptable. As the

only entrance at the corner this reconfiguration provides an important design and safety feature that currently is not there, and the reconfiguration provides some distance from the intersection. Maintaining the service drive easement is inkeeping with the current 1989 Rockville Pike plan and the current draft plan.

The approval of this application, given the similar uses and scale of development in the area, will not be in conflict with the Plan.

vi. Constitute a violation of any provision of this Chapter or other applicable law; or

As previously indicated, per Section 25.08.07.d, since the property is not disturbing more than 50 percent of the existing gross floor area or 50 percent of the net lot area, the entire site is not required to be brought into compliance with all of the current development standards contained in the zoning ordinance. All applicable new construction and site modifications are in compliance with the Zoning Ordinance.

vii. Be incompatible with the surrounding uses or properties.

The planned use of the property complies with the Master Plan's land use designation of the site area, and is a permitted use in the Mixed Use Corridor District Zone. The proposed use is consistent with similar land uses already established in the vicinity. Based on this information staff finds that the proposed building will continue to be compatible with the surrounding uses and properties.

CONDITIONS

Approval is recommended subject to the following conditions:

Planning

- 1. Submission for review and approval (15 copies) of the site plan, revised according to any revisions required by the Planning Commission, and including the following:
 - a. Add within the General Notes section (#13) "Site Review was based on Section 25.08.d.1."

Department of Public Works

- 2. Comply with conditions of Water and Sewer Authorization Letter dated July 1, 2014.
- 3. Comply with conditions of Development SWM Concept Approval Letter dated July 1, 2014.
- 4. Comply with conditions of Preliminary Erosion and Sediment Control Letter dated July 1, 2014.

- 5. Submission, for review, approval, and permit issuance by the DPW, of the following detailed engineering plans, studies and computations, appropriate checklists, plan review and permit applications and associated fees:
 - a. Stormwater Management (SWM) at 24"x36" on non-City base sheets;
 - b. Sediment Control Plans (SCP) for all disturbed areas at 24"x36" on non-City base sheets;
 - c. Public Improvement (PWK) including all water and sewer service connection and public main work proposed within the public rights-of-way of New Street and Rockville Pike, or any existing or required water and/or sewer easements at 24" x 36" on City base sheets.
 - d. All detailed engineering plans must be at 1"=30' scale, unless otherwise approved by DPW.
- 6. Submit for review and approval by DPW, a phasing plan for pedestrian and vehicular access, construction access, staging, and parking. The pedestrian access plan for the construction period shall include, but not be limited to, the methods of maintaining pedestrian safety and access on the existing sidewalks and existing routes, temporary closing of sidewalks for work in the streetscape zone, and pedestrian detours, as well as efforts to minimize closure of sidewalks. This plan shall be approved prior to issuance of any DPW permit.
- 7. Submission, for review and approval by the City Attorney's office prior to DPW permit issuance, all necessary deeds, easements, dedications, and declarations. Drafts of the required documents, with the exception of SWM easements and agreements which can be included at second submission, must be included with the initial submission of the PWK package and must be recorded prior to issuance of DPW permits, unless otherwise allowed by DPW.
- 8. Post sureties for all permits based on the approved construction estimate in a format acceptable to the City Attorney. Approval is coordinated through DPW staff.
- 9. Payment of all required on-site and off-site monetary contributions for Stormwater Management must be paid prior to issuance of Stormwater Management Permit (SMP).

Traffic and Transportation

10. All internal and external traffic control devices (i.e. signs, marking and devices placed on, over or adjacent to a roadway or walkway) to regulate, warn or guide pedestrians and/or vehicular traffic shall comply with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). A signing and pavement-marking plan must be submitted to DPW and approved by the Chief, Traffic and Transportation prior to issuance of a Public Works permit.

- 11. The applicant shall provide 1 bicycle rack (2 short-term spaces) and 1 bicycle locker (2 long-term spaces). A covered, locked bicycle room with racks or bicycle lockers is required for long-term storage. Short-term spaces are considered to be an inverted "U" bicycle rack, mounted in-ground, and must be spaced four feet apart. These spaces shall be provided at a safe and secure location approved by DPW at final engineering. Bike lockers and racks must be installed prior to issuance of the occupancy permit.
- 12. The applicant shall pay the County's Development Impact Tax, as applicable, subject to the credits allowed by Montgomery County. The applicant shall submit a receipt of payment to the Inspection Services Division of the Department of Community Planning and Development Services and the Traffic and Transportation Division of the Department of Public Works prior to the issuance of the occupancy permit.

Inspection Services Division

13. An approved Fire Protection Site Plan shall be included with the building permit set. Construction shall conform to the City of Rockville Code, Chapter 5 and the MD Statewide Fire Prevention Code.

State Highway Administration

14. Comply with any SHA requirements as indicated in **Attachment 6** dated October 7, 2013.

Forestry Department

- 15. In accordance with the requirements of the Forest and Tree Preservation Ordinance, the applicant shall submit for review and approval a Final Forest Conservation Plan (FCP) and obtain a Forestry Permit (FTP) prior to release of the Building and Sediment Control permits.
 - a. Comply with the Preliminary FCP approved on June 24, 2014.
 - b. The Final FCP shall be consistent with the Preliminary FCP and site plan.
 - c. The Final FCP will be reviewed concurrently with the detailed engineering drawings that are submitted to the Department of Public Works.
 - d. The applicant is required to obtain a Roadside Tree Removal permit from the Maryland Department of Natural Resources for tree removals within the Route 355 right of way. Replacement street tree types and locations within the State right of way will be permitted through the Roadside Tree permit.
- 16. The applicant must execute a Five-year Warranty and Maintenance Agreement in a form suitable to the City prior to issuance of the Forestry permit.
- 17. The applicant must post a bond or letter of credit approved by the City prior to issuance of the Forestry permit.

CONCLUSION:

Staff recommends approval of the application, based on the findings in the staff report and subject to the listed conditions.



Case Number: STP2014-00184 Address: 702 ROCKVILLE PIKE

Project Name: ENTERPRISE RAC



Attachment 2: Planned Land Use Map



